

**In the
Indiana Supreme Court**

**IN THE MATTER OF REQUEST)
FOR APPROVAL OF AMENDED)
LOCAL RULE FOR COURTS OF)
RECORD IN DEARBORN COUNTY)**

**NOTICE OF PROPOSED AMENDMENT TO LOCAL RULE, FINDING OF
GOOD CAUSE TO DEVIATE FROM THE SCHEDULE, AND REQUEST
FOR SUPREME COURT APPROVAL**

The Judges of the courts of record in Dearborn County have decided to amend their local rule as indicated below, find good cause under Trial Rule 81 (D) to deviate from the schedule for amending local court rules, and request Supreme Court approval for the following amendment:

Assignment of Certain Conflict Cases at LR15-AR-6

New language is indicated by underlining and deleted language by striking through. The proposed local rule amendment is published for comments, which will be received until **May 27, 2011**, and if approved by the Indiana Supreme Court, will be effective on **June 1, 2011**.

Dated this 20th day of April, 2011

_____/s/_____
JAMES D. HUMPHREY, Judge
Dearborn Circuit Court

_____/s/_____
JONATHAN N. CLEARY, Judge
Dearborn Superior Court No. 1

_____/s/_____
SALLY BLANKENSHIP, Judge
Dearborn Superior Court No. 2

LR15-AR-6: ASSIGNMENT OF CERTAIN CONFLICT CASES

- A. This rule shall apply to the re-assignment of case and the selection of a Senior Judge where there is an Order of Disqualification or Recusal in order to bring the case to a conclusion in the Dearborn-~~Ohio~~ Circuit Court.
- B. As to cases filed where the Judge of the Dearborn Circuit Court has a conflict of interest in any cases which requires him to recuse himself because of prior contact with the case as a Deputy Prosecuting Attorney, Prosecuting Attorney or private practitioner, the case shall be assigned to a Senior Judge appointed to this Court for all further proceedings. The Clerk, upon recusal by the Circuit Court Judge, shall enter an order transferring the case to the Senior Judge appointed. The Senior Judge will be notified and shall accept jurisdiction under the provisions of this Rule unless disqualified under the Code of Judicial Ethics or excused from service by the Supreme Court. The re-assignment of such case shall be entered on the chronological case summary of the case and will not require an oath or special order accepting jurisdiction. The Senior Judge shall retain jurisdiction of the case for all future proceedings unless a specific statute or rule provides to the contrary or the Senior Judge is unavailable by reason of death, the Court will appoint a successor Senior Judge appointed to this Court.
- C. As to cases filed or pending where the Judge of the Dearborn Circuit Court has a conflict of interest in any cases which requires him to recuse himself due to a business association, the case shall be assigned to the Judge of Dearborn Superior Court #1. The Clerk, upon recusal by the Circuit Court Judge, shall enter an order transferring the case to the Judge of Dearborn Superior Court #1. The Judge will be notified and shall accept jurisdiction under the provisions of this Rule unless disqualified under the Code of Judicial Ethics or excused from service by the Supreme Court. The re-assignment of such case shall be entered on the chronological case summary of the case and will not require an oath or special order accepting jurisdiction. The Judge shall retain jurisdiction of the case for all future proceedings unless a specific statute or rule provides to the contrary or the Judge is unavailable by reason of death.